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Attorneys for Defendants Mortgage Electronic Registration Systems, Inc. and Select Portfolio Servicing, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

M.T. REAL ESTATE INVESTMENT, INC.,

Plaintiff,

-vs-

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., AS
NOMINEE FOR FIRST NATIONAL BANK
OF ARIZONA; QUALITY LOAN SERVICE
CORPORATION; SELECT PORTFOLIO
SERVICING CORPORATION; JOHN DOES
1- 20, INCLUSIVE, AND ROE
CORPORATIONS 1-20,

Defendants.

Case No.: 2:23-cv-00882-JAD-NJK

**STIPULATION TO EXTEND TIME TO
FILE REPLY IN SUPPORT OF
MOTION TO DISMISS (ECF NO. 8)
(SECOND REQUEST)**

ECF No. 29

Plaintiff M.T. Real Estate Investment, Inc. (“Plaintiff”), Defendant Select Portfolio Servicing Inc. (incorrectly named as “Select Portfolio Servicing Corporation, “SPS”) and Defendant Mortgage Electronic Registration Systems, Inc. (“MERS”, collectively with SPS, “Defendants”), by and through their respective counsel of record, hereby submit the following stipulation and agreement:

Whereas, the parties previously filed a Stipulation to extend the deadline for Plaintiff to file its response to Defendants’ Motion to Dismiss (ECF No. 8) from June 26, 2023, to July 3, 2023. ECF No. 18. The Stipulation also sought an extension of time for Defendants to file their Reply in support of the Motion to Dismiss due to the upcoming July 4 holiday which would

1 necessitate additional time for Defendants to prepare and file their Reply brief. *Id.* The
2 Stipulation mistakenly stated that the Reply deadline should be extended to July 12, 2023,
3 despite the fact that the parties had agreed to July 17, 2023 (14 days from the original July
4 3, 2023 Reply deadline). The Court granted the original Stipulation and extended the deadline
5 for Plaintiff to file its response to the Motion to Dismiss to July 3, 2023, and deadline for
6 Defendants to file their Reply to July 12, 2023. ECF No. 22.

7 Whereas, the parties then realized the unintentional error in the original Stipulation in
8 that it did not correctly identify the Reply deadline agreed to by the parties and appeared to
9 be an earlier draft of the Stipulation which was not approved by Defendants' counsel.
10 Accordingly, the parties submitted an Amended Stipulation to advise the Court of this
11 unintentional mistake and correct the Reply deadline to July 17, 2023. ECF No. 23.

12 Whereas, the Court denied the Amended Stipulation as moot, finding that the relief
13 sought in the Amended Stipulation was the same as the original Stipulation. ECF No. 24. With
14 all due respect to the Court, it appears that the Court overlooked the agreement in the
15 Amended Stipulation to correct the Reply deadline from July 12, 2023, to July 17, 2023. ECF
16 No. 23.

17 Wherefore, based on the foregoing,
18 IT IS HEREBY STIPULATED that Defendants' Reply in support of their Motion to
19 Dismiss (ECF No. 8) shall be continued from July 12, 2023, to July 17, 2023.
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The parties to this Stipulation submit that the request for extension set forth herein is presented in good faith and not for any improper purpose or to cause prejudice or unnecessary delay.

IT IS SO STIPUALTED.

Dated this 3rd day of July, 2023.

Respectfully Submitted,

WRIGHT, FINLAY & ZAK, LLP

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Attorneys for Defendants

Select Portfolio Servicing, Inc. and

Mortgage Electronic Registration Systems Inc.

IT IS SO ORDERED.

Defendants' Reply in support of their Motion to Dismiss (ECF No. 8) is due July 17, 2023.



U.S. District Judge Jennifer A. Dorsey
Dated: July 3, 2023